

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. ) Criminal No. 10-~~100~~-10275-DPW  
 )  
 JOSE L. BAEZ, )  
 Defendant )

DISMISSAL OF PART OF COUNT FOUR ALLEGING INJURY

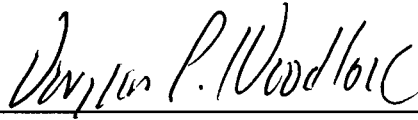
The United States of America, by and through Assistant United States Attorneys David G. Tobin and Robert E. Richardson, hereby dismiss that portion of Count Four of the Superseding Indictment alleging personal injury to individuals. Specifically, the government dismisses the following allegation from Count Four of the Superseding Indictment: "and in doing so caused personal injury to individuals, at least one of whom was a public safety officer performing duties, as a direct and proximate cause of said use of fire." In support of this dismissal, the government avers that the above-referenced allegation appears in Count Four of the Superseding Indictment in error, as no injuries resulted from the arson fire alleged in Count Four of the Superseding Indictment.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /s/ David G. Tobin  
DAVID G. TOBIN  
Assistant U.S. Attorney

LEAVE TO FILE GRANTED:

A handwritten signature in black ink, appearing to read "Douglas P. Woodlock", written over a horizontal line.

DOUGLAS P. WOODLOCK  
United States District Judge

DATED: *August 28, 2012*